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Attorneys for Defendants and Claimant.
 BARRY COHEN, CHRIS COHEN (aka CHRISTENE COHEN), the F/V POINT LOMA and
 Claimant, F/V POINT LOMA Fishing Company, Inc.

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEL MAR SEAFOODS, INC.,
 Plaintiff,

v.

BARRY COHEN, CHRIS COHEN (aka
 CHRISTENE COHEN), *in personam* and,
 F/V POINT LOMA, Official Number
 515298, a 1968 steel-hulled, 126-gross ton,
 70.8 foot long fishing vessel, her engines,
 tackle, furniture apparel, etc., *in rem*, and
 Does 1-10,
 Defendants.

No. C-07-2952-WHA

**DEFENDANT CHRISTENE COHEN'S
 APPLICATION FOR PERMISSION TO
 APPEAR BY TELEPHONE AT
 SETTLEMENT CONFERENCE**

Settlement Conf.: May 1, 2008

Time: 10:00 a.m.

Place: Judge Larson's Chambers

Pursuant to the Court's notice of Settlement Conference and Settlement Conference Order dated April 17, 2007, Defendant Christene Cohen makes the following application to the Court and respectfully requests permission to appear by telephone at the above noticed settlement conference.

Christene and Barry Cohen are legally married, although they are currently separated and in the midst of divorce proceedings. Declaration of Christene Cohen in Support of Application for Appearance by Telephone at ¶2.

1 Personal attendance by Ms. Cohen at the settlement conference would cause a substantial
2 hardship for her. She currently resides in Scottsdale, Arizona. *Id.* at ¶1. She cannot afford the
3 financial expenses required to travel to San Francisco to attend the settlement conference in
4 person. *Id.* at ¶3 Traveling to San Francisco would also require her to miss at least one, if not
5 two, days of work and she cannot afford to take time off from her job in Scottsdale. *Id.*

6 Ms. Cohen's appearance by telephone instead of in person will not hamper Defendants'
7 ability to participate in good faith settlement discussions. Ms. Cohen is available to appear by
8 telephone for the duration of the settlement conference on Thursday, May 1, 2008. *Id.* at ¶4. She
9 will be represented by counsel at the settlement conference and desires to be consulted
10 individually regarding any proposed settlement agreement. Moreover, Barry Cohen, the other
11 individual defendant, will be present in person at the settlement conference.

12 For these reasons, Defendants respectfully request that Ms. Cohen's application for
13 permission to appear by telephone be granted.

14
15 DATED this 24rd day of April, 2008.

16
17 Respectfully submitted,

18
19 /s/ Gwen Fanger
20 James P. Walsh
Gwen Fanger

21 DAVIS WRIGHT TREMAINE LLP
22 Attorneys for Defendants, BARRY COHEN,
23 CHRIS COHEN, F/V POINT LOMA and the
24 F/V POINT LOMA FISHING COMPANY,
25 INC.
26
27
28

Proof of Service

I, Robin Huey, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am employed in the City and County of San Francisco, State of California, in the office of a member of the bar of this court, at whose direction the service was made. I am over the age of eighteen (18) years, and not a party to or interested in the within-entitled action. I am an employee of DAVIS WRIGHT TREMAINE LLP, and my business address is 505 Montgomery Street, Suite 800, San Francisco, California 94111.

I caused to be served the following documents:

DEFENDANT CHRISTEN COHEN'S APPLICATION FOR PERMISSION TO APPEAR BY TELEPHONE AT SETTLEMENT CONFERENCE; and

DECLARATION OF CHRISTENE COHEN IN SUPPORT OF DEFENDANT CHRISTEN COHEN'S APPLICATION FOR PERMISSION TO APPEAR BY TELEPHONE AT SETTLEMENT CONFERENCE

I caused the above documents to be served on each person on the attached list by the following means:

- ☒ I enclosed a true and correct copy of said document in an envelope and placed it for collection and mailing with the United States Post Office on **April 24, 2008**, following the ordinary business practice.
(Indicated on the attached address list by an [M] next to the address.)
- ☐ I enclosed a true and correct copy of said document in an envelope, and placed it for collection and mailing via Federal Express on _____, for guaranteed delivery on _____, following the ordinary business practice.
(Indicated on the attached address list by an [FD] next to the address.)
- ☐ I consigned a true and correct copy of said document for facsimile transmission on _____.
(Indicated on the attached address list by an [F] next to the address.)
- ☐ I enclosed a true and correct copy of said document in an envelope, and consigned it for hand delivery by messenger on _____.
(Indicated on the attached address list by an [H] next to the address.)
- ☐ A true and correct copy of said document was emailed on _____.
(Indicated on the attached address list by an [E] next to the address.)

I am readily familiar with my firm's practice for collection and processing of correspondence for delivery in the manner indicated above, to wit, that correspondence will be deposited for collection in the above-described manner this same day in the ordinary course of business.

Executed on **April 24, 2008**, at San Francisco, California.

/s/ Robin Huey

Robin Huey

Service List

Key: [M] Delivery by Mail	[FD] Delivery by Federal Express	[H] Delivery by
] Hand
[F] Delivery by Facsimile	[FM] Delivery by Facsimile and	[E] Delivery by
	Mail] Email

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